

Message Text

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ORIGIN AF-18

INFO OCT-01 EUR-25 IO-14 ISO-00 L-03 CIAE-00 DODE-00 PM-07

H-03 INR-10 NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03

SS-20 USIA-15 SAM-01 AID-20 DRC-01 /157 R

DRAFTED BY AF/S:RJDOLS L/AF:KHUFFMAN

APPROVED BY AF:CGROSS

AF/S:WPONEILL

AF/P:JALINEHAN

IO/UNP:RREIS

L/AF:BKHUFFMAN

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R 160016Z FEB 74

FM SECSTATE WASHDC

TO AMCONSUL CAPE TOWN

INFO AMEMBASSY PRETORIA

AMEMBASSY LONDON

AMCONSUL JOHANNESBURG

AMCONSUL DURBAN

AMEMBASSY GABORONE

AMEMBASSY MASERU

AMEMBASSY MBABANE

USMISSION USUN NEW YORK

C O N F I D E N T I A L STATE 032160

E.O. 11652:GDS

TAGS: PINS WA

SUBJECT: SWAPO AND SWAPO YOUTH LEAGUE ARRESTS

REF: CAPE TOWN 0100; B. CAPE TOWN 0105; C. STATE 028548

CAPE TOWN FOR EMBASSY

1. IF DFA DOES NOT RESPOND TO INQUIRY REPORTED REF. B, BY
FEBRUARY 19, EMBASSY IS REQUESTED TO FOLLOW UP REFERRING TO
ADDITIONAL REPORTS FROM UNOFFICIAL SOURCES AND AGAIN ASKING
FOR PARTICULARS, INCLUDING CHARGES OR PLANNED CHARGES,
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LEGAL BASIS FOR DETENTION IN MEANTIME, ACCESS OF COUNSEL,

PLACES OF DETENTION, TRIAL OR OTHER PROCEEDING DATES, ETC.

2. INQUIRY SHOULD BE FRAMED IN POLITICAL CONTEXT, I.E., OUR CONCERN ABOUT (1) RELATIONSHIP OF ARRESTS TO SAG'S ASSURANCES GIVEN TO SYG LAST APRIL CONCERNING FREEDOM OF SPEECH AND POLITICAL ACTIVITY WHICH ARE PRECONDITIONS FOR EXERCISE OF RIGHT OF SELF-DETERMINATION (DEPARTMENT'S DESIRE IS TO PROD SAG TO ABIDE BY THESE "ASSURANCES") AND (2) EFFECT ARRESTS HAVE REGARDING CHANCES FOR PEACEFUL RESOLUTION OF NAMIBIAN PROBLEM. REFERENCE MAY BE MADE TO FACT THAT THE ARRESTS INCREASE DIFFICULTY FOR THOSE WHO ADVOCATE MODERATE COURSE IN UN. YOU MAY ALSO NOTE OUR DISQUIET OVER HUMAN RIGHTS ASPECTS OF THESE ACTIONS.

3. DEPARTMENT HAS ALREADY BEEN CONTACTED BY LAWYERS' COMMITTEE, UNITED CHURCH BOARD, AND SENATOR HUMPHREY'S OFFICE CONCERNING MERORO ARREST AND FURTHER INQUIRIES ARE EXPECTED. IN LIGHT OF ARRESTS, REP. DIGGS PLANNING HOLD SPECIAL HEARINGS ON NAMIBIA STARTING FEB. 21. FOR TIME BEING, WE RESPONDING ONLY THAT DEPARTMENT IS MAKING INQUIRIES OF SAG, BUT EXPECT WE MAY BE CALLED UPON TO MAKE FULLER STATEMENT (SEE E.G. USUN 497).

4. SHOULD DFA CONFIRM THAT TERRORISM ACT IS BASIS OF DETENTION AND THAT TERRORISM ACT CHARGES ARE CONTEMPLATED, EMBASSY SHOULD STRESS THAT SAG SHOULD BE UNDER NO ILLUSIONS ABOUT IMPACT OF ANOTHER APPLICATION OF TERRORISM ACT AGAINST NAMIBIAN RESIDENTS. EMBASSY SHOULD ALSO MAKE CLEAR THAT WELL-KNOWN VIEWS OF USG ON IMPROPRIETY APPLICATION OF TERRORISM ACT IN NAMIBIA HAVE NOT CHANGED. STRESS SHOULD BE LAID, HOWEVER, UPON FACT THAT TERRORISM ACT TRIALS OF NAMIBIAN RESIDENTS IN 1967 AND 1970 GENERATED WIDESPREAD REACTION AND NUMBER OF UN RESOLUTIONS AND PROVIDED EXCEPTIONALLY USEFUL FOCUS FOR STATES ADVOCATING EXTREME MEASURES REGARDING NAMIBIA. APPLICATION OF ACT AT THIS TIME MIGHT PROVOKE RENEWED CREDENTIALS FIGHT IN PROPOSED SPECIAL SESSION OF UNGA. EMBASSY SHOULD URGE REAPPRAISAL BY SAG OF CURRENT COURSE OF ACTION. RUSH

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